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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NI *et al.*

Appl. No. 09/042,583

Filed: March 17, 1998

For: **Death Domain Containing
Receptor 5**

Art Unit: 1646

Examiner: Kaufman, C.

Atty. Docket: 1488.13400002

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**First Supplemental Information Disclosure Statement
and Fee Under 37 C.F.R. § 1.97(c)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of Document AL1 and AM1 are provided.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

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does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested.

This Supplemental Information Disclosure Statement is being submitted later than three months of the filing of the above-captioned application and after the mailing date of the first Office Action on the merits, but before the mailing date of a final Office Action or a Notice of Allowance. In accordance with 37 C.F.R. § 1.97(c), fee payment under 37 C.F.R. § 1.17(p) is provided in our accompanying Check No. 25796 for the amount of \$240.00. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

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Date: 10/28/99

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